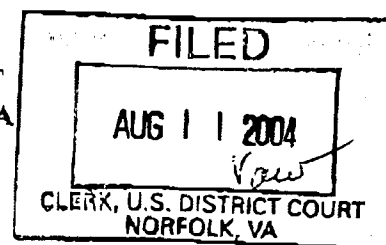


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**



YASER ESAM HAMDI,

Petitioner,

v.

CASE NO. 2:02CV439

DONALD RUMSFELD

Secretary of Defense

The Pentagon

Arlington, Va.,

COMMANDER C.T. HANFT,

Commander, Consolidated Naval Brig

1050 Remount Road

Charleston, South Carolina,

Respondents.

JOINT MOTION TO STAY PROCEEDINGS

The United States and Yaser Esam Hamdi, by counsel, hereby jointly move the Court to stay all pending proceedings for twenty-one days. In support of this motion, the parties state the following:

1. On June 11, 2002, a Petition for Habeas Corpus was filed on behalf of Yaser Esam Hamdi in the Norfolk division of the Eastern District of Virginia;
2. On June 28, 2004, the United States Supreme Court issued an opinion in this case that contemplates additional proceedings;
3. Since the issuance of the Supreme Court opinion, the parties have been engaged in

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negotiations to resolve this matter under terms and conditions acceptable to both parties that would allow Mr. Hamdi to be released from Respondents' custody;


4. The parties have not yet completed these negotiations;
5. Wherefore, the parties respectfully request that the Court stay all proceedings in this case for twenty-one days, so that the parties may attempt to complete efforts to reach a mutually acceptable resolution of this case.

Respectfully submitted,

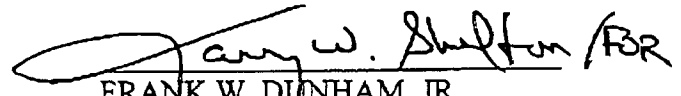
UNITED STATES OF AMERICA

YASER ESAM HAMDI

By:


DAVID B. SALMONS
ASSISTANT TO THE SOLICITOR
GENERAL

By counsel


FRANK W. DUNHAM, JR.
FEDERAL PUBLIC DEFENDER
EASTERN DISTRICT OF VIRGINIA

LAWRENCE R. LEONARD
VA BAR # 37995
MANAGING ASSISTANT
UNITED STATES ATTORNEY

LARRY W. SHELTON
VA BAR # 15205
SUPERVISORY ASSISTANT
FEDERAL PUBLIC DEFENDER